CMR

21

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROGER COUSTRY, Derivatively On Behalf of CIGNA CORPORATION, Plaintiff, vs. H. EDWARD HANWAY, WILSON H. TAYLOR, MICHAEL W. BELL, CHARLES R. SHOEMATE, LOUIS W. SULLIVAN, PETER N. LARSON, JOSEPH NEUBAUER, HAROLD A. WAGNER, CAROL COX WAIT, MARILYN WARE, JANE E. HENNEY, FRED HASSAN, ALFRED C. DeCRANE, JR. and ROBERT P. BAUMAN, Defendants, -and- CIGNA CORPORATION, a Delaware corporation, Nominal Defendant.	Civ. Action No. 2:05cv853 Honorable Cynthia M. Rufe FILED JAN 1 0 2006 MICHAEL E. KUNZ, Clerk By ______ Dep. Clerk

STIPULATION OF VOLUNTARY DISMISSAL
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)

WHEREAS, Plaintiff filed this action on February 24, 2005;

WHEREAS, Defendants filed a Motion to Dismiss the Verified Amended Shareholder Derivative Complaint (the "Motion") on May 5, 2005;

WHEREAS, the Motion was fully briefed on September 28, 2005;

WHEREAS, Plaintiff, after reviewing Defendants' Motion, has decided to dismiss this action without prejudice;

WHEREAS, Plaintiff is submitting the declaration of Jeffrey P. Fink in support of this dismissal declaring that neither Plaintiff not his counsel has received any consideration for this dismissal, and no future consideration has been promised; and

WHEREAS, this dismissal will not have any effect on the shareholders of CIGNA Corporation;

It is hereby stipulated and agreed by and between the parties hereto, subject to approval by the Court, as follows:

1. This action shall be dismissed without prejudice; and
2. Each party will bear its own costs.

DATED: January 6, 2006

ROBBINS UMEDA & FINK, LLP

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Attorneys for Plaintiff

DATED: January 9, 2005

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Attorneys for defendants H. Edward Hanway, Wilson H. Taylor, Michael W. Bell, Charles R. Shoemate, Louis W. Sullivan, Peter N. Larson, Joseph Neubauer, Harold A. Wagner, Carol Cox Wait, Marilyn Ware, Jane E. Henney, Fred Hassan, Alfred C. Decrane, Jr., Robert P. Bauman and nominal defendant CIGNA Corporation

SO ORDERED:

Cynthia M. Rufe

HONORABLE CYNTHIA M. RUFE
UNITED STATES DISTRICT JUDGE

DATED: Jan 10, 2006

mailed
1-10-06
Aronson
Hersey
Weiser
Kilduff
Fink

Faxed
1-10-06
Illoway
Harkins

DOCKET TO STATS

corporation,

Nominal Defendant.

DECLARATION OF JEFFREY P. FINK IN SUPPORT OF THE STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)

I, JEFFREY P. FINK, declare as follows:

1. I am an attorney duly licensed to practice before all of the courts of the State of California. I am a member of the law firm of Robbins Umeda & Fink, LLP, one of the counsel

2:05-cv-00853-CMR

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CMR

(21)

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROGER COUSTRY, Derivatively On Behalf of CIGNA CORPORATION,

Plaintiff,

vs.

H. EDWARD HANWAY, WILSON H. TAYLOR, MICHAEL W. BELL, CHARLES R. SHOEMATE, LOUIS W. SULLIVAN, PETER N. LARSON, JOSEPH NEUBAUER, HAROLD A. WAGNER, CAROL COX WAIT, MARILYN WARE, JANE E. HENNEY, FRED HASSAN, ALFRED C. DeCRANE, JR. and ROBERT P. BAUMAN,

Defendants,

-and-

CIGNA CORPORATION, a Delaware corporation,

Nominal Defendant.

Civ. Action No. 2:05cv853

Honorable Cynthia M. Rufe

FILED

JAN 1 0 2006

MICHAEL E. KUNZ, Clerk
By ______ Dep. Clerk

STIPULATION OF VOLUNTARY DISMISSAL
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)

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It is hereby stipulated and agreed by and between the parties hereto, subject to approval by the Court, as follows:

1. This action shall be dismissed without prejudice; and
2. Each party will bear its own costs.

DATED: January 6, 2006

ROBBINS UMEDA & FINK, LLP

Jeffrey P. Fink [signature]

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Attorneys for Plaintiff

DATED: January 9, 2005

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SO ORDERED:

DATED: Jan. 10, 2006

Cynthia M. Rufe

HONORABLE CYNTHIA M. RUFE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROGER COUSTRY, Derivatively On Behalf of CIGNA CORPORATION,

Plaintiff,

vs.

H. EDWARD HANWAY, WILSON H. TAYLOR, MICHAEL W. BELL, CHARLES R. SHOEMATE, LOUIS W. SULLIVAN, PETER N. LARSON, JOSEPH NEUBAUER, HAROLD A. WAGNER, CAROL COX WAIT, MARILYN WARE, JANE E. HENNEY, FRED HASSAN, ALFRED C. DeCRANE, JR. and ROBERT P. BAUMAN,

Defendants,

-and-

CIGNA CORPORATION, a Delaware corporation,

Nominal Defendant.

Civ. Action No. 2:05cv853

Honorable Cynthia M. Rufe

FILED

JAN - 9 2006

MICHAEL E. KUNZ, Clerk

By______________Dep. Clerk

DECLARATION OF JEFFREY P. FINK IN SUPPORT OF THE STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)

I, JEFFREY P. FINK, declare as follows:

1. I am an attorney duly licensed to practice before all of the courts of the State of California. I am a member of the law firm of Robbins Umeda & Fink, LLP, one of the counsel

of record for Plaintiff in the above-entitled action. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. Neither Plaintiff, myself nor my firm have received, or expect to receive, any consideration for the dismissal of this action, and no future consideration has been promised.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of January 2006, at San Diego, California.

Jeffrey P. Fink

JEFFREY P. FINK